

PATENT
1340-1-017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Tuomanen et al. EXAMINER : Allen, M.
SERIAL NO. : 09/056,019 ART UNIT : 1615
FILED : April 7, 1998
FOR : POLYPEPTIDE COMPRISING THE AMINO ACID OF AN N-
TERMINAL CHOLINE BINDING PROTEIN A TRUNCATE,
VACCINE DERIVED THEREFROM AND USES THEREOF

STATEMENT IN SUPPORT OF THE FILING/SUBMISSION OF A
NUCLEOTIDE/AMINO ACID SEQUENCE LISTING IN
ACCORDANCE WITH 37 CFR §§1.821 - 1.825

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Dear Sir:

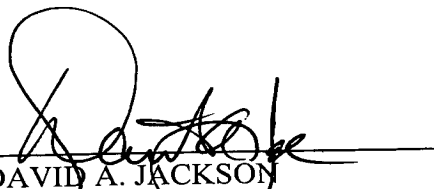
DAVID A. JACKSON, attorney of record, hereby states as follows:

1. I hereby state that the content of the paper and computer readable copies of the Sequence Listing submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same.

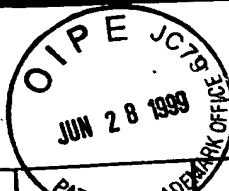
2. I hereby state that the submission, filed in accordance with 37CFR § 1.821(g) herein does not include new matter.

3. I hereby declare that all statements made herein of the undersigned's own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the U.S. Code, Section 1001 and that such willful false statements may jeopardize the validity of this Application or any patent issuing thereon.

DATED: June 23, 1999


DAVID A. JACKSON
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Registration No. 26,742

DAVID A. JACKSON



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMUNICATIONS SECTION OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DEAFACE-1994

SERIAL NUMBER		FILING DATE		FIRST NAMED APPLICANT		ATTORNEY DOCKET NO.	
097056,019		04/07/98		TUOMANEN		E 1340-1-017	

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RECEIVED

MAY 19 1999

KLAUBER & JACKSON

EXAMINER	
ALLEN, M	
ART UNIT	PAPER NUMBER
1645	7

DATE MAILED: 05/17/99

Due 6/17/99

Please find below a communication from the EXAMINER in charge of this application
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to
at telephone number (703)308-0666

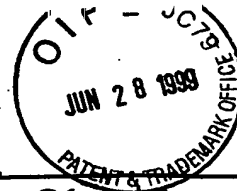
DOCKETED CPI

MARIANNE P. ALLEN
PRIMARY EXAMINER
GROUP 1800

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A41645

Marianne P. Allen

Raw Sequence Listing Error Summary



SERIAL NUMBER: 09/056,019

ERROR DETECTED SUGGESTED CORRECTION

NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1** **Wrapped Nucleics** The number/text at the end of each line "wrapped" down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".
- 2** **Wrapped Amino Acids** The amino acid number/text at the end of each line "wrapped" down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".
- 3** **Incorrect Line Length** The rules require that a line not exceed 72 characters in length. This includes spaces.
All text must be visible on page.
- 4** **Misaligned Amino Acid Numbering** The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs between the numbering. It is recommended to delete any tabs and use spacing between the numbers.
- 5** **Non-ASCII** This file was not saved in ASCII (DOS) text, as required by the Sequence Rules.
Please ensure your subsequent submission is saved in ASCII text so that it can be processed.
- 6** **Variable Length** Sequence(s) contain n's or Xaa's which represented more than one residue.
As per the rules, each n or Xaa can only represent a single residue.
Please present the maximum number of each residue having variable length and indicate in the (ix) features section that some may be missing.
- 7** **Wrong Designation** Sequence(s) contain amino acid or nucleic acid designators which are not standard representations as per the Sequence Rules (Please refer to paragraph 1.822)
- 8** **Skipped Sequences (OLD RULES)** Sequence(s) missing. If intentional, please use the following format for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X:
(I) SEQUENCE CHARACTERISTICS: (Do not insert any headings under "SEQUENCE CHARACTERISTICS")
(xI) SEQUENCE DESCRIPTION: SEQ ID NO:X:
This sequence is intentionally skipped

Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s).
- 9** **Skipped Sequences (NEW RULES)** Sequence(s) missing. If intentional, please use the following format for each skipped sequence.
<210> sequence id number
<400> sequence id number
000
- 10** ✓ **Use of N's or Xaa's (NEW RULES)** Use of N's and/or Xaa's have been detected in the Sequence Listing.
Use of <220> to <223> is MANDATORY if n's or Xaa's are present.
- 11** **Use of <213> Organism (NEW RULES)** Sequence(s) are missing this mandatory field or its response.
- 12** **Use of <220> Feature (NEW RULES)** Sequence(s) are missing the <220> Feature and associated headings.
Use of <220> to <223> is MANDATORY if <213> ORGANISM is "Artificial" or "Unknown"
(See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32)
(Sec. 1.823 of new Sequence Rules)
- 13** **Wrong Format** File submitted was in the alphabetical heading format of the Old Sequence Rules. This is invalid since the "Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Disclosures" Federal Register Notice, Vol. 63, No. 104, June 1, 1998, p. 29620 applies to applications filed on or after July 1, 1998.
AKS-Biotechnology Systems Branch- 7/10/98